

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

MDL No. 1456
CIVIL Action: 01-CV-12257
Judge Patti B. Saris

THIS DOCUMENT RELATES TO:
ALL ACTIONS

AFFIDAVIT OF D. JACQUES SMITH IN
SUPPORT OF ADMISSION PRO HAC VICE

I, D. Jacques Smith, hereby certify pursuant to Case Management Order No. 1, section V, paragraph 16, entered in the above-captioned action that:

1. I am a Member at the Firm of Arent Fox PLLC, attorneys for Chiron Corporation, in the above-captioned action.
2. I am a member in good standing of the bars of the District of Columbia Bar, Maryland Bar, Louisiana Bar, U.S. Supreme Court, U.S. Court of Appeals for the Federal Circuit, the District of Columbia Circuit, and the Third, Fourth, Sixth, and Ninth Circuits, U.S. Court of Federal Claims, U.S. District Courts for the Districts of the District of Columbia, Maryland, Western District of Michigan, Eastern District of Louisiana, and the Eastern District of Wisconsin, U.S. Court of Appeals for the Armed Forces, Navy-Marine Corps Court of Criminal Appeals, and United States Court of International Trade.
3. I have never been the subject of a professional disciplinary proceeding.

D. Jacques Smith

CITY OF WASHINGTON)
) SS:
DISTRICT OF COLUMBIA)

SWORN TO BEFORE ME and subscribed in my presence this 5th day of August, 2005. /

2005. Susan D. Kircher
Notary Public SUSAN D. KIRCHES
NOTARY PUBLIC, DISTRICT OF COLUMBIA
My Commission Expires February 14, 2007

My Commission Expires

2-14-2007